

MINUTES
MAY 21, 2018
BROOKHAVEN BOROUGH COUNCIL WORKSHOP

At 7:00 PM on the above date, Council President, Vawn Donaway, called the Workshop Session of Council to order. He led in the Pledge of Allegiance to the American Flag and welcomed all present. Mr. Heller made the motion and Mrs. Fooks the second to do a test taping on the recording system, said tape will be uploaded privately and then deleted after it is viewed. Motion carried by unanimous vote.

The record shows all Councilmen and Councilwomen, Solicitor Stone, Engineer Mulvena and Secretary McKinley all on time and seated at the Council Table.

Mr. Donaway said Mrs. Mulvena had cataract surgery recently and cannot drive in the dark. He asked her to give her report after which she will be excused from the meeting.

ENGINEER'S REPORT – Mrs. Mulvena

Mrs. Mulvena's report included the items she reported on at the May 7th Council Meeting. Tonight, under Storm Sewer Maintenance, where it says there are numerous inlets that need repair/replacement that can be replaced using Liquid Fuels Funds or from the Borough's General Fund, Ms. Sawicki said we will make this decision after we look at storm water problems. The lines are 50+ years old.

Mrs. Mulvena spoke about paving money as well as televising storm sewer lines. There is \$200,000 set aside for paving. Do we want to pave without televising? Mr. Heller asked what it will cost to televise. Mrs. Mulvena Said \$3,000 a day. Ms. Sawicki said we may have to forgo paving this year. She said we have underground water problems. Mr. Heller asked if storm and sanitary sewer lines can be televised the same day. Yes. Mike Ruggieri from 112 East Garrison Road spoke from his seat in the audience asking how much will it cost to televise each intersection. He understands \$12,000. He asked if Gary Thompson who was present has any input. Mr. Thompson said North Clearwater at Trimble Boulevard and Deepwater Lane at Trimble Boulevard have sink holes that keep opening up. They keep putting cold patch in the holes. Mr. Heller asked if we could get a list of what needs to be paved? Mrs. Mulvena said we can see a pattern of problems and we have to look at the 11th Street area. Mr. Thompson said the flow on West Brookhaven Road winds up in our Wastewater Treatment Plant. We should look at the list and see what we can see. Mr. Donaway would like to sit down the Mr. Thompson and Mrs. Mulvena.

Mrs. Mulvena asked "what's up with the street light at 22 Trimble Boulevard". Mrs. McKinley will check with Higgins Electric.

Tom Dykes, 305 West Brookhaven Road spoke about the street light in front of his home and the one in the 300 block of West Brookhaven Road. They are on 24/7. Mrs. McKinley will report it to Higgins Electric.

Mr. Donaway spoke about the possibility of extending the existing trash/recycling contract another year. Ms. Sawicki said she needs a copy of the contract. Mrs. McKinley will give her one. Mr. Donaway said either the hauler pays Delaware County Solid Waste or do we pay it. Ms. Sawicki will look into that. Ms. Sawicki said For a \$5 per ton it is not worth the wait at Covanta. Mr. Heller said they have to move the trash fast 24/7. The facility is not well maintained. Mr. Ruggieri, 112 East Garrison Road said the average number of tons of trash Should be determined and times that by \$5.00 to see if it is worth it. Mr. LaPera asked for an update on the poles. Mrs. Mulvena said we do not have that information yet. Eaton Park has standing water. Mrs. Mulvena said there should be an overflow area. It should be connected to a drainage system. There will be a mosquito problem and we will have to put mosquito dunks in the system.

PUBLIC DISCUSSION

Mike Ruggieri, 112 East Garrison Avenue said that people were waiting this evening to get into the Municipal Center. He feels we should have a door bell installed so people do not have to wait outside.

SOLICITOR’S REPORT – Mr. Stone

Solicitor Stone said he is working on the revised Zoning Ordinance with Zoning Officer, Harold Hampton. We must have a Public Hearing on the revised Zoning Ordinance. Mr. Stone will handle the advertising. It will be on July 2 at 6:00 PM. He will be submitting the proposed revisions to Mr. Haber from Delaware County Planning before the public hearing.

Regarding the Employee Handbook, while a draft Resolution pertaining to the adoption of the draft Employee Handbook was previously prepared, it has since been discovered that Resolution 96-11 addressed some of the topics set forth in the draft Employee Handbook and that there are additional documents relevant to this issue. Mr. Stone recommends further investigation before adopting the draft Employee Handbook.

MAYOR’S REPORT – Mayor Hess did not have a report.

COUNCIL REPORTS

BUSINESS AND REVITALIZATION COORDINATOR, CHAIR ORDINANCE COMMITTEE, MEMBER CONDO ASSOCIATION, MEMBER LONG TERM AND COMPREHENSIVE PLANS, SCHOOL BOARD LIAISON, CHAIR TECHNOLOGY COMMITTEE AND CHAIR GRANT COMMITTEE – Mrs. Fooks

VICE PRESIDENT OF COUNCIL, CHAIR LONG RANGE AND COMPREHENSIVE PLANS, MEMBER GRANT COMMITTEE, LIAISON TO ZONING HEARING BOARD, LIAISON TO RECREATION COMMITTEE AND CHAIR INSPECTORS – Mr. LaPera

CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING/TRASH COMMITTEE, CHAIR FIRE COMMITTEE, CHAIR VETERANS’ COMMITTEE AND CHAIR POLICE COMMITTEE – Ms. Leslie

There was nothing under the Recycling area.

Veterans Report shows the Memorial Day Service will be on Saturday, May 26 at 11:00 AM on the Cambridge Road Memorial area.

Under Police, Ms. Leslie said there is a Memorandum of Understanding (MOU). The Police Committee has been talking for quite some time about the possibility of adding another full time officer under a “pilot” program and then having one of our present officers as the full time traffic safety officer. The pilot program means it’s a two year program and we can terminate the program at any time prior to the two years. Council has been discussing it since 2016 and seemed agreeable to try in back in November 2017 and it has been part of the budget since 2017.

One of the main points for the TSO is it will save on overtime for traffic court. The TSO will go will go will go to all court hearings instead of having other full time officers go to court when they are already over their scheduled hours. It will also cut back on hours if someone calls out during the shift that the TSO is on,

TSO can just step up and fill in the calls during that time.

A second full time officer would add some stability to the department and also help us with the concerns of traffic safety and patrol. We also need to seriously consider that the town is growing and so should our department. We can't continue to keep having a revolving door with part-time officers.

Fire – Noting to report

Emergency Management – Nothing to report

CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING/TRASH COMMITTEE, CHAIR FIRE COMMITTEE, CHAIR VETERANS' COMMITTEE AND CHAIR POLICE COMMITTEE – Ms. Leslie

Ms. Leslie said the Memorial Day Service will be on Saturday, May 26, 2018 at 11:00 AM. Weather permitting it will be held on the Cambridge Road Island in the area of the Veterans' memorials.

Under the Police Report, Ms. Leslie said that there is a Memorandum of Understanding (MOU) by and between the Borough of Brookhaven and the Delaware County Fraternal Order of Police (FOP) Ms. Leslie said the Police Committee has been working for quite some time about the possibility of adding another full time officer under a "pilot" program. The MOU reads this Memorandum of Understanding by and between Brookhaven Borough (the "Borough") and Delaware County Fraternal Order of Police Lodge 28 (the "FOP").

Whereas the Borough desires to assign an officer to regularly perform a traffic-related detail;

Whereas, in doing so, the Borough is contemplating whether to add a full-time position to its complement of officers;

Whereas, the Borough desires to promote a part-time officer to full-time on a probationary basis while determining whether to (a) continue the traffic officer detail; and (b) increase its complement of officers set forth above;

Now, therefore, in recognition of the above recitals and intending to be bound, the FOP and the Borough hereby agree as follows:

1. Traffic Safety Officer, (TSO). The Borough shall create a traffic safety detail to perform traffic related duties as assigned by the Borough's Chief of Police. Provided he volunteers for such assignment, the Traffic Safety Officer shall then work such shifts as may be assigned to him by the Chief of Police, provided that while performing traffic related duties such shifts occur Monday – Friday consisting of shifts no longer than 10 hours. The TSO shall only be eligible for shift differential for differentiated hours as defined in the CBA and actually worked.

In the event that TSO shall no longer be available to perform as the TSO, then another officer may be assigned to such duties, upon such terms as applied to TSO, provided the replacement officer voluntarily accepts such proposed assignment. If no officer agrees to the assignment, then the traffic safety officer detail shall terminate and the additional Full-Time Officer, as defined below, shall return to part-time status, so long as such demotion to part-time status occurs within the two (2) years beginning on the date that the Borough promotes the part-time officer into a full-time position.

2. Full-Time Officer. The Borough shall increase its current complement of full time officers by one (1) for a period of not more than two (2) years beginning on the date that the Borough promotes one of the part-time officers into a full-time position. At any time during the two (2) year period following that promotion, the Borough shall have the right, at its discretion to return that officer to part-time status. Should that officer remain employed through the end of the two (2) year period following his promotion to full-time, he shall become entitled to all of the protections as to continued employment as a full-time officer provided by the CBA and the affected statutory and common law applicable to full-time officers.

3. Effect of/on Collective Bargaining Agreement. Except as set forth herein, all officers affected by this Memorandum of Understanding shall be subject to the terms of the Collective Bargaining Agreement between the Borough and the FOB (the "CBA"), and the rights afforded a full-time officer by law, including in particular Act 600, Act 51, and the Heart & Lung Act. Nothing set forth herein shall amend the CBA, except to the extent necessary to permit and facilitate the terms of this Agreement. This Agreement shall not be interpreted to increase the minimum complement of full-time officers in the Borough beyond that which is currently stated in the CBA.

BOROUGH OF BROOKHAVEN
("Borough")

By: _____
President

Attest: _____

Date: _____

DELAWARE COUNTY FRATERNAL
ORDER OF POLICE, LODGE #27 ON
BEHALF OF THE POLICE OFFICERS
OF THE BOROUGH OF BROOKHAVEN

By: _____
President

Attest: _____
Secretary

Date: _____

Mr. Donaway said we need to bring in a new Police Chief because it appears Chief McGoldrick will not be coming back.

He also said that part-time police officers stay with us for a couple of years and then leave. Part-time police officers are not Civil Service.

Ms. Leslie had nothing to report under the topics of Fire Committee or Emergency Management.

PRESIDENT PRO-TEM, CHAIR ARBOR/SHADE TREE COMMISSION, CHAIR FINANCE AND INSURANCE COMMITTEE, MEMBER LONG RANGE DEVELOPMENT AND COMPREHENSIVE PLANS, MEMBER FIRE COMMITTEE AND CHAIRMAN GRANT COMMITTEE – Ms. Sawicki

Ms. Sawicki said there are two bills that must be paid this week—D M Welding and Fence (\$4,327.78) and Brandywine Recording (\$275.00). She made the motion and Mr. Heller the second to pay those two bills. She made the motion and Mr. Heller the second to pay these two bills. Motion carried by unanimous vote.

Speaking about the brick sign on the Dutton Mill Traffic Island where a motorist knocked the sign down, Ron Jackson has given the Borough an estimate to fix. The amount he is charging falls below the State Bidding Thresholds so his price we can accept. Gary Thompson said the wooden sign is rotted and we need a new foundation on the brick sign. Mr. Thompson said he and members of his Public Works Crew can dig the hole. Council wants a new foundation and the lady's insurance will pay for it. Do we want to put large rocks there so vehicles "will bounce off them". Mr. Thompson will get estimates on a new wooden sign. Resident Dykes asked if the sign can be made from Trex? Mr. LaPera said if we can get the sign from Lane signs, do it.

CHAIR TECHNOLOGY AND COMMUNICATION COMMITTEE, CHAIR BOARD OF HEALTH, LIAISON TO CIVIL SERVICE COMMISSION, CHAIR HISTORICAL COMMITTEE AND MEMBER POLICE COMMITTEE – Mr. Heller

Mr. Heller reported that the next meeting of the Historical Committee will be on May 30 at 7:00 PM.

Technology and Communications report shows they recorded our first Council Meeting on Monday, May 7. There was an issue with uploading it to YouTube and the video being segmented; however it was posted. They received some feedback about the sound quality. They are testing tonight's meeting to hopefully address this issue. Again, this is a work in progress and they appreciate everyone's patience during the process.

The Board of Health report says as stated at the previous workshop, both Cathy Warfield and Helen Elmer have resigned. Mrs. Warfield was Inspector and Mrs. Elmer was the BOH Secretary. The Health Inspector position has been posted. He is finalizing a new job description and assembling a panel for the interviews. Mrs. Warfield continues to send complaints to Mr. Heller and they are passed on to the appropriate officials for handling. Mr. Donaway said Mrs. Elmer will still take care of the eyeglass collection box in the front vestibule. She has the key to the box.

The Civil Service Report shows that the Police Committee held its first meeting on May 2, 2018.

PLANNING COMMISSION LIAISON, CONDO ASSOCIATION CHAIR, MEMBER FIRE COMMITTEE AND MEMBER HISTORICAL COMMITTEE – Mr. Pappas

Mr. Pappas reported that the Planning Commission did not meet in the month of May.

Mr. Pappas said he will be in school for 4 weeks in June.

PRESIDENT OF COUNCIL, CHAIRMAN PUBLIC WORKS AND BUILDING, HOLIDAY PARADE LIAISON AND MEMBER POLICE COMMITTEE – Mr. Donaway

Mr. Donaway said a sub-contractor "has been picked up" to pave the Middletown Township part of Chester Creek Road.

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The Borough Public Works Crew is doing its best to stay ahead of the grass cutting, even cutting it when it is raining.

A letter was received from Chester Water Authority. The pressure is on. There is a meeting at 7:00 tomorrow Night at Chester City Hall. If anyone from here is going, please report back to Council.

The cave in spot on Bridgewater Road near our Wastewater Treatment Plant is secured for now. It is going to take a while to have it fixed permanently. It was PennDOT's problem—not ours.

The Borough's key fab system must be updated via the computer. Harry Swayngim is taking care of that.

Work at Sommerville Park has been put off because of the rain. Mr. Thompson said they started moving dirt today. The playground equipment and ground leveling should be finished in two weeks.

INSPECTORS' REPORTS

ZONING OFFICER – Mr. Hampton

Mr. Hampton said he has received an application from the owner of the old Rita's Water Ice. They want to sell tobacco products and sell lottery tickets. Mr. Hampton said "he wants to take a better look at the facility and he wants a copy of the lease".

Plaza 352 has changed hands. Mr. Hampton is organizing a meeting on June 6. He said Mr. Catania and Mrs. Mulvena should be there. Mrs. Fooks and two more members of Council should be too—Maybe Mr. LaPera and someone else. Mr. Hampton said the meeting should be at 9:00 AM or 9:30 AM.

ALDI has put up nice signs—all properly permitted.

Address numbers need to be fixed, including Dollar Tree, the Nail Salon, the dry cleaners and now ALDI.

Mr. Hampton said that May 22 is Merchant Marine Day (he served in the Merchant Marines).

Public Works Supervisor – Mr. Thompson

Mr. Thompson said there is an outside contractor in town who is replacing gas lines in the area of Chandler Drive, Melvin Drive, Cambridge Road and Cooper Road.

PUBLIC DISCUSSION

Linda Riffert, 131 Bradbury Road asked if the Borough can remove the BBL in the center of the gymnasium and replace it with BMC. Mr. LaPera said it would be very expensive to go down 10 layers of lacquer to do that and we can't just do a piece of the floor.

Mike Ruggieri, 112 East Garrison Road said earlier in the meeting, Councilman Heller said thanks for the advice. Mr. Heller said he's sorry that Mr. Ruggieri took what he said wrong. Mr. Ruggieri spoke about when he was on council for 4 years and was the liaison to the Police and during that time the Civil Service Rules and Regulations were re-written.

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Mr. LaPera said he went Bob Gant over to Budget Car Rental to look at the area. They are encroaching 10' into Eaton Park. We have to keep the whole park clean. Sometimes they throw used tires over the embankment.

There was no more business to come before Council. Mrs. Fooks made the motion and Ms. Leslie the second to adjourn. Motion carried by unanimous vote.

Respectfully Submitted,

Mary Ellen McKinley
Borough Secretary